

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

United States Patent and Trademark
Office
(Box PCT)
Crystal Plaza 2
Washington, DC 20231
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 12 January 1998 (12.01.98)	
International application No. PCT/US97/05969	Applicant's or agent's file reference 08086/002WO1
International filing date (day/month/year) 10 April 1997 (10.04.97)	Priority date (day/month/year) 10 April 1996 (10.04.96)
Applicant KONNERSMAN, Paul, M.	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
07 November 1997 (07.11.97)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

<p>The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>Facsimile No.: (41-22) 740.14.35</p>	<p>Authorized officer S. De Michiel</p> <p>Telephone No.: (41-22) 338.83.38</p>
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PATENT COOPERATION TREATY

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REC'D	23 SEP 1998
WIPO	PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

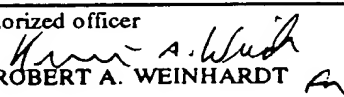
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 08086/002W01	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US97/05969	International filing date (day/month/year) 10 APRIL 1997	Priority date (day/month/year) 10 APRIL 1996
International Patent Classification (IPC) or national classification and IPC IPC(6): G06F 17/60 and US Cl.: 705/9		
Applicant KONNERSMAN, PAUL M.		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 4 sheets.
☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
 These annexes consist of a total of 12 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step or industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 07 NOVEMBER 1997	Date of completion of this report 12 AUGUST 1998
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer  ROBERT A. WEINHARDT
Facsimile No. (703) 305-3230	Telephone No. (703) 305-3900

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US97/05969

I. Basis of the report

1. This report has been drawn on the basis of *(Substantive sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments):*

- ☐ the international application as originally filed.
- ☒ the description, pages 1-40 , as originally filed.
 pages NONE , filed with the demand.
 pages NONE , filed with the letter of _____.
 pages _____ , filed with the letter of _____.
- ☒ the claims, Nos. 1-7 , as originally filed.
 Nos. NONE , as amended under Article 19.
 Nos. NONE , filed with the demand.
 Nos. NONE , filed with the letter of _____.
 Nos. _____ , filed with the letter of _____.
- ☒ the drawings, sheets/fig NONE , as originally filed.
 sheets/fig 1-17 , filed with the demand.
 sheets/fig NONE , filed with the letter of _____.
 sheets/fig _____ , filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

- ☒ the description, pages NONE .
- ☒ the claims, Nos. NONE .
- ☒ the drawings, sheets/fig NONE .

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the ~~Supplemental Box~~ Additional observations below (Rule 70.2(c)).

4. Additional observations, if necessary:

NONE

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US97/05969

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. STATEMENT**

Novelty (N)	Claims <u>1-7</u>	YES
	Claims <u>NONE</u>	NO
Inventive Step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-7</u>	NO
Industrial Applicability (IA)	Claims <u>1</u>	YES
	Claims <u>2-7</u>	NO

2. CITATIONS AND EXPLANATIONS

Claims 1-7 lack an inventive step under PCT Article 33(3) as being obvious over McAtee et al (US 5,301,320) in view of Feulner et al (EP 0615198).

McAtee et al teach methods for defining, executing, monitoring and controlling the flow of business operations wherein a designer defines a workflow by providing a template of business activities that express the manner in which these activities relate to one another. This includes setting parameters, identifying resources and decomposing the business process into an ordered description of discrete goals wherein the goals can represent a business task or activity or the occurrence of a specific event. Further, the goals are classified into particular types, which are equivalent to classes and arranged in a template. The template relates the classes and provides a network of decisions. The path through this network provides arcs and utilizes messaging. This provides support for the work in process as elements of a computer-based system. The performance of the tasks is orchestrated in accordance with the template and this integrates various application software, which provides support of the work of the process in elements of a computer-based system. McAtee also teaches that tasks are partitioned among various users and computers. Once the tasks are partitioned the result would have been multiple persons in differentiated roles. See the abstract, figs. 2-3, 5, col. 2 line 33 to col. 5 line 5 of McAtee.

While McAtee does not specifically teach the use of data and decision objects, the goals in McAtee perform gathering of data and making decisions. Moreover, Feulner et al. specifically teach the use of business objects, entity groups and related data objects which helps provide a consistent view of data across a business, reduces redundancy and enables sharing of data. See the abstract, figs. 1, 3-6 and their corresponding description in Feulner. Thus, it would have been obvious to those of ordinary skill in the art to modify the teachings of McAtee to include those of Feulner for the advantages of consistency, redundancy reduction and sharing.

(Continued on Supplemental Sheet.)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US97/05969

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

V. 2. REASONED STATEMENTS - CITATIONS AND EXPLANATIONS (Continued):

Claims 2-7 lack industrial applicability as defined by PCT Article 33(4).

Claims 2-7 are directed to methods that are not within the technological arts. None of the methods recited employ a computer. Further, claims 2-7 lack industrial applicability in that they do not include a practical application and operate on abstract ideas, namely models.

NEW CITATIONS

NONE

FILED
GAW

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To: GARY A. WALPERT
FISH & RICHARDSON, P.C.
225 FRANKLIN STREET
BOSTON, MASSACHUSETTS 02110-2804

PCT

NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 71.1)

Date of Mailing
(day/month/year) **17 SEP 1998**

Applicant's or agent's file reference
08086/002W01

IMPORTANT NOTIFICATION

International application No.

PCT/US97/05969

International filing date (day/month/year)

10 APRIL 1997

Priority Date (day/month/year)

10 APRIL 1996

Applicant

KONNERSMAN, PAUL M.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

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Name and mailing address of the IPEA/US
Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231

Facsimile No. (703) 305-3230

Authorized officer

Robert A. Weinhardt
ROBERT A. WEINHARDT

Telephone No. (703) 305-3900

PATENT COOPERATION TREATY

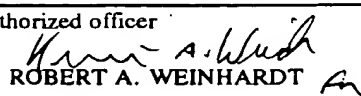
PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 08086/002W01	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US97/05969	International filing date (<i>day/month/year</i>) 10 APRIL 1997	Priority date (<i>day/month/year</i>) 10 APRIL 1996
International Patent Classification (IPC) or national classification and IPC IPC(6): G06F 17/60 and US Cl.: 705/9		
Applicant KONNERSMAN, PAUL M.		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>17</u> sheets.</p>
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step or industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 07 NOVEMBER 1997	Date of completion of this report 12 AUGUST 1998
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer  ROBERT A. WEINHARDT
Facsimile No. (703) 305-3230	Telephone No. (703) 305-3900

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US97/05969

I. Basis of the report

1. This report has been drawn on the basis of *(Substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments):*

- ☐ the international application as originally filed.
- ☒ the description, pages 1-40 , as originally filed.
pages NONE , filed with the demand.
pages NONE , filed with the letter of _____.
pages _____ , filed with the letter of _____.
- ☒ the claims, Nos. 1-7 , as originally filed.
Nos. NONE , as amended under Article 19.
Nos. NONE , filed with the demand.
Nos. NONE , filed with the letter of _____.
Nos. _____ , filed with the letter of _____.
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sheets/fig 1-17 , filed with the demand.
sheets/fig NONE , filed with the letter of _____.
sheets/fig _____ , filed with the letter of _____.

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- ☒ the drawings, sheets/fig NONE .

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the ~~Supplemental Box~~ Additional observations below (Rule 70.2(c)).

4. Additional observations, if necessary:

NONE

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US97/05969

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. STATEMENT**

Novelty (N)	Claims <u>1-7</u>	YES
	Claims <u>NONE</u>	NO
Inventive Step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-7</u>	NO
Industrial Applicability (IA)	Claims <u>1</u>	YES
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(Continued on Supplemental Sheet.)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US97/05969

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

V. 2. REASONED STATEMENTS - CITATIONS AND EXPLANATIONS (Continued):

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Claims 2-7 are directed to methods that are not within the technological arts. None of the methods recited employ a computer. Further, claims 2-7 lack industrial applicability in that they do not include a practical application and operate on abstract ideas, namely models.

_____ NEW CITATIONS _____
NONE

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To: GARY A. WALPERT
FISH & RICHARDSON, P.C.
225 FRANKLIN STREET
BOSTON, MASSACHUSETTS 02110-2804

RECEIVED

JUN 26 1997

FISH & RICHARDSON P.C.
BOSTON, MA

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference 08086/002W01	Date of Mailing (day/month/year) 24 JUN 1997
International application No. PCT/US97/05969	International filing date (day/month/year) 10 APRIL 1997
Applicant KONNERSMAN, PAUL M.	

Docketed by Billing Secretary
 Due Date: 7/24/97
 Deadline: 8/24/97
 Initials: [Signature]

1. ☒ The applicant is hereby notified that the international search report has been established and is transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the international search report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

Docketed by Practice Systems
 PCT Abstract 7-24-97
 PCT Search Report 8-24-97

Initials: SAC

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

119576, 119578

3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Further action(s):** The applicant is reminded of the following:

Shortly after 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in rules 90 bis 1 and 90 bis 3, respectively, before the completion of the technical preparations for international publication.

Within 19 months from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the ISA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703) 305-3230	Authorized officer GAIL O. HAYES <i>B. Haidw</i> Telephone No. (703) 305-9711
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